S.B. CR.MISC.BAIL APPLICATION NO.1801/2007.
Shyodan Singh Vs. State
Date of order : 10/4/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri Nawab Ali Rathore for the petitioner.
Shri S.N. Gupta P.P. for the State.

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Heard learned counsel for the petitioner, learned Public Prosecutor for the State and perused the relevant documents placed before me.

Learned counsel for the petitioner argued that the petitioner is not named in the F.I.R. and the challan against the principal accused was filed long back who has already been enlarged on bail. It is submitted that the petitioner was arrested on 9/3/2007 and since then, he is behind the bars and the trial will take considerable long time.

Learned Public Prosecutor has opposed the bail application.

Without expressing any opinion on the merits of this case but taking into consideration the facts and circumstances of the case, the nature of allegation and evidence against petitioner and the fact that the petitioner is behind the bars since 9/3/2007, I deem it appropriate to enlarge the petitioner on bail.

In the result, this bail application u/S.439 Cr.P.C. is allowed and it is directed that petitioner Shyodan Singh S/o Pehalwaniya shall be released on bail in

F.I.R. No.408/1997 P.S. Malviya Nagar, Jaipur subject to his furnishing a personal bond in the sum of Rs.20,000/- together with two sureties in the sum of Rs.10,000/- each to the satisfaction of the trial Court for his appearance before that court on all dates of hearing until conclusion of the trial.

However, in case, petitioner is found involved in repeating the similar offence, the prosecution will be entitled to move for cancellation of bail.

(MOHAMMAD RAFIQ), J.

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